

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

**CARLOS A. GARCIA-PEREZ,**  
**et al.,**

Plaintiffs,

v.

**ALVARO SANTAELLA, MD, et al.,**

Defendants.

Civil No. 97-1703 (JAG)

**PLAINTIFFS' RENEWED MOTION  
REQUESTING STATUS CONFERENCE**

TO THE HONORABLE COURT:

COME NOW the plaintiffs, through the undersigned attorneys, and to this Honorable Court respectfully state and pray:

1. On May 18, 2004, plaintiffs filed a "Motion for Status Conference and Trial Date" (docket No. 191). On the same date, this Honorable Court denied the motion due to the fact that it had not received the mandate from the First Circuit Court of Appeals.

2. On May 19, 2004, the undersigned attorney spoke with the Clerk's Office for the Court of Appeals and was informed that the mandate had been issued on May 4, 2004, and that the case record was to be returned to the district court within one week.

3. The undersigned attorney has made various additional calls to the Clerk's Office for the Court of Appeals and this District Court to verify that the mandate was received and the

record was returned. Apparently the Court of Appeals is suffering from a two-month backlog. The undersigned attorney spoke with Marilyn Camargo from the Clerk's Office for the Court of Appeals on July 7, 2004. Ms. Camargo assured the undersigned that the record, along with another copy of the mandate, would be sent by overnight mail to the District Court no later than today, Friday, July 9, 2004. Accordingly, at this time plaintiffs are renewing their request for a status conference.

4. Prior to the dismissal of this case for lack of jurisdiction in June, 2002, discovery had been well underway, but not yet completed. On June 7, 2004, the undersigned attorney met with the majority of the attorneys in this case in order to schedule the remaining discovery. All attorneys agreed that discovery should be complete by April, 2005.

5. In order to jump-start this case, plaintiffs are hereby requesting either a status conference or a scheduling order, including a trial date. Plaintiffs believe that the remaining discovery could be fully completed within six months, and be ready for trial shortly thereafter.

WHEREFORE, plaintiffs respectfully request that this Honorable Court issue a scheduling order, with a trial date, or schedule a status conference wherein a discovery timetable, pre-trial, and trial dates could be set.

Respectfully submitted.

At San Juan, Puerto Rico, this 9<sup>th</sup> day of July, 2004.

**I HEREBY CERTIFY:** That a true and exact copy of the preceding document has been sent through the Case Management/Electronic Case Filing system which will send the notification to the parties to their registered e-mail addresses.

s/ Joan S. Peters  
**Joan S. Peters**

029-97/rmrsc6-7.n

USDC-PR 207409

e-mail: [nrodriguez@guillemardlaw.com](mailto:nrodriguez@guillemardlaw.com)

s/ Andrés Guillemard-Noble

**Andrés Guillemard-Noble**

USDC-PR 207308

e-mail: [aguillemard@guillemardlaw.com](mailto:aguillemard@guillemardlaw.com)

**NACHMAN & GUILLEMARD**

Attorneys for Plaintiffs

P.O. Box 9949

San Juan, Puerto Rico 00908

Tel. (787) 724-1212; Fax (787) 725-1339